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SEP 01 2004

September 1, 2004

**Via Facsimile to (703) 872-9306**

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: Applicants: David H. Davies; David Blankenbeckler; Michael Braitberg  
Assignee: DataPlay, Inc.  
Title: First-Side Dual-Layer Optical Storage Disk And Method Of Manufacturing The Same  
Application No.: 09/764,042 Filing Date: January 16, 2001  
Examiner: Martin J. Angebrannt Group Art Unit: 1736  
Docket No.: M-9998 US Confirmation No.: 5686

Dear Sir:

Transmitted herewith are the following documents in the above-identified application:

- (1) This Transmittal Letter (1 page);
- (2) Petition for Extension of Time (1 page);
- (3) Claim of Small Entity Status (1 page);
- (4) Response to Office Action (13 pages); and
- (5) Attachment to office action (5 pages).



No additional fee is required.



The fee has been calculated as shown below:

**CLAIMS AS AMENDED**

	Claims Remaining After Amendment		Highest No. Previously Paid For		Present Extra	Rate		Additional Fee
Total Claims	32	Minus	57	=	0	x \$ 9.00	\$	- 0 -
Independent Claims	2	Minus	2	=	0	x \$43.00	\$	- 0 -
<input type="checkbox"/>	Fee of \$145.00 for the first filing of one or more multiple dependent claims per application						\$	
<input checked="" type="checkbox"/>	EXTENSION OF TIME FEE (3 months for Small Entity)						\$	475.00

**Total additional fee for this Amendment:**

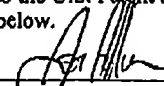
\$

- ☒ Conditional Petition for Extension of Time: If an extension of time is required for timely filing of the enclosed document(s) after all papers filed with this transmittal have been considered, an extension of time is hereby requested.

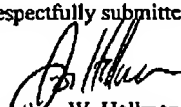
- ☒ Please charge our Deposit Account No. 50-2257 in the amount of \$ 475.00

- ☒ Also, charge any additional fees required and credit any overpayment to our Deposit Account No. 50-2257

Total: \$ 475.00

<p>Certification of Facsimile Transmission</p> <p>I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.</p> <p></p> <p>Jonathan Hallman</p>		<p>September 1, 2004</p> <p>Date of Signature</p>
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Respectfully submitted,

  
Jonathan W. Hallman  
Attorney for Applicants  
Reg. No. 42,622

SEP 01 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): David H. Davies; David Blankenbeckler; Michael Braitberg  
Assignee: DPHI Acquisitions, Inc.  
Title: First-Side Dual-Layer Optical Storage Disk and Method of Manufacturing The Same  
Serial No.: 09/764,042 Filing Date: January 16, 2001  
Examiner: Martin J. Angebrannt Group Art Unit: 1756  
Docket No.: M-9998 US Confirmation No.: 5686

Irvine, California  
September 1, 2004

Via Facsimile to (703) 872-9306

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION FOR EXTENSION OF TIME

Dear Sir:

Applicants respectfully petition for a 3-month extension of time within which to respond to the March 18, 2004 outstanding Office Action, such extension allowing the undersigned until September 18, 2004 to respond.

Please charge the fee of \$475.00 for a small entity to the undersigned's Deposit Account as authorized on the Transmittal Letter accompanying this petition.

If there are any questions, please call the undersigned at (949) 752-7040.


Certification of Facsimile Transmission

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

  
Jon Hallman

September 1, 2004  
Date of Signature

Respectfully submitted,

  
Jon W. Hallman  
Attorney for Applicant(s)  
Reg. No. 42,622

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